

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. MATEO GUANZON, DEFENDANT AND APPELLANT.

G.R. No. 3972. December 16, 1907

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-3972/>

JOHNSON, J.:

This defendant was charged in the Court of First Instance of the Province of Occidental Negros with the offense of desacato (contempt), under the provisions of the Penal Code. He was arrested, duly arraigned, and, after hearing the evidence adduced during the trial of the cause, the lower court found him guilty of said offense and sentenced him to be imprisoned for a period of four months and one day of arresto mayor and to pay a fine of 325 pesetas, with the costs of the trial, and in case of insolvency to suffer subsidiary imprisonment at the rate of 12½ pesetas per day, which period of subsidiary imprisonment shall not exceed one-third part of the principal penalty.

From this sentence the defendant appealed.

The complaint filed in the lower court alleged in substance that the defendant, on or about the 7th day of March, 1905, presented in the court of the justice of the peace of the pueblo of Hog, presided over by Juan Garcia, as justice of the peace, a writing which constituted the offense of desacato. This writing was in the words and figures as follows:

"United States of America, Philippine Islands. In the court of the justice of the peace of Ilog, Province of Occidental Negros. Mateo Guanzon, plaintiff; Alejo Urbanoso, defendant. The plaintiff alleges: (1) That he has been informed, because it has become public, that all my cases now pending in the court of the justice of the peace above referred to will result unfavorably, particularly the present case, the which agrees with the precedent in the case of Salvadora Bocol, to whom the undersigned was counsel, wherein, notwithstanding the fact that everything stated in the complaint was proved, the case was decided against him, being therefore obliged to appeal to the Court of First Instance. (2) That he has likewise been informed that the justice of the peace who presides in this court has stated that, for the least offense which I might commit within the court room, a penalty of one day's imprisonment and fine of ten pesos shall be imposed on me, and in fear that the same may take place, I respectfully request that the document signed by the defendant be returned to me in order that the same may be used before the court of Bacolod; therefore I decline to further prosecute this matter, as well as the other two complaints delivered to Domingo Cabugao, then clerk of the court, in the presence of the justice of the peace, together with the fees paid by reason of such complaints—that is, for such as were filed against Apolonio Hortinela, Telesforo Binabaye, and the said Alejo Urbanoso, against Señora Gelllegani. Kabankalan, Hog, March 7, 1906. M. Guanzon.

"Furthermore, in view of the fact that it is now twenty minutes to 4 p. m., and the hearing has not taken place, this petition is filed M. Guanzon."

The defendant in this case made several assignments of error, all of which may be included in one, which is that the lower court erred in holding that the writing presented by the defendant in the said court of the justice of the peace constituted the offense of desacato. The lower court held that the defendant was guilty of the offense of

desacato and that the said offense was punishable under paragraph 2 of article 253 in its relation with article 254 of the Penal Code. Said paragraph 2 of article 253 includes—

"The public official who, while his hierarchical superior is in the exercise of his office, shall calumniate, outrage, or insult him by deed or word, in his presence or in any writing addressed to him, or who shall threaten him."

The defendant contends that he had heard from many persons that the said justice of the peace had made the statement both in his office and upon the streets of the pueblo of Hog that all the cases pending in his court with which the said defendant was connected would be decided against him. Prior to the time the defendant heard this report the said justice of the peace had already decided one case against him. This contention on the part of the defendant concerning the said rumors or reports was supported during the trial by several witnesses, who swore that they had heard the said justice of the peace make the statements referred to by the defendant. The defendant asserted during the trial of said cause that he did not intend in any way by filing the said written statement with the justice of the peace to reflect upon him; that he desired to withdraw all actions which he had commenced before the said justice of the peace, and that he believed that he would have to give some reason therefor and therefore he gave the reasons which are found in said written statement. The evidence adduced during the trial of the cause shows that, prior to the time of the filing of said written statement, the defendant and the said justice of the peace had been on friendly terms.

The Attorney-General in his brief filed in this case states that he is of the opinion that the defendant is not guilty of the offense charged in said complaint and should be absolved therefrom, and in support of his recommendation quotes from the following opinions of the supreme court of Spain:

First. A sentence dated the 24th of February, 1882, in which the court made the following statement:

"By reason of the release from jail of an accused person, granted by a circuit court, several residents of a town addressed to the judge a statement wherein among other things they said to him: 'We never entertained the idea of causing criminals to be acquitted, as your honor intends to do the audiencia of Burgos considered that such expressions were injurious and that, therefore, they constituted a case of contempt. But counsel for the accused, having appealed from the said judgment, because article 266 of the Penal Code had thereby been violated, the supreme court of Spain sustained the appeal on the ground that the words on which the contempt were based, owing to their ambiguous and obscure nature, did not furnish a definite intent to impair the dignity, reputation, and respectability of the judge to whom they were addressed, inasmuch as, even if he had proposed to acquit the accused, he could have lawfully done so in view of the result of the proceedings, an hypothesis which is extremely honorable to said officer, and which does not contradict the above-mentioned words, and, being the most favorable, it should prevail, at least in the absence of words revealing that the judge was induced to acquit the so-called criminals because of some other unworthy motive * * *.' (Viada, Penal Code, 4th edition, Vol. II, p. 277.)

Second. From a decision of the supreme court of Spain dated January 11, 1884, where the court—

"Held that words addressed by a private individual to a representative of the judicial authority, to the effect that he did not administer him justice, unaccompanied by the necessary reservation, may be considered as a want of respect and regard toward the judge, yet in the usual and common language employed by members of the bar it lacks the necessary importance to consider it an outrage or insult." (Viada, Penal Code, id., id., p. 280.)

Upon a careful examination of the record brought to this court, we are of the opinion, and so hold, that the acts of the defendant in the said court of the justice of the peace in presenting the said written statement in said court, together with the explanations which he made during the trial of said cause concerning his purpose in presenting the same, did not constitute the offense of desacato. Therefore the sentence of the lower court is hereby reversed,

with costs de oficio. So ordered.

Arellano, C. J., Torres, Mapa, Carson, Willard, and Tracey, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.